

Application no. 09/154,966
Amdt. dated January 27, 2004
Reply to Office Action of October 27, 2003

REMARKS / ARGUMENT

A. INTRODUCTION

In the office action of October 27, 2003, claim 1 was rejected under 35 U.S.C. 102(e) in view of U.S. patent no. 5,682,383 to Dahod (hereafter "Dahod"). Claim 2 was rejected under 35 U.S.C. 103(a) in view of Dahod and prior art disclosed in the application Background. Claims 3 and 13 were rejected under 35 U.S.C. 103(a) in view of Dahod and U.S. patent no. 4,866,702 to Shimizu (hereafter "Shimizu"). Claim 9 was rejected under 35 U.S.C. 103(a) in view of Dahod and U.S. patent no. 5,953,340 to Scoot (hereafter "Scoot"). Claim 10 was rejected under 35 U.S.C. 103(a) in view of Dahod, Scoot, and prior art disclosed in the application Background. Claim 11 was rejected under 35 U.S.C. 103(a) in view of Dahod, Scoot, and Shimizu. Claim 12 was rejected under 35 U.S.C. 103(a) in view of Dahod, prior art disclosed in the application Background, and Shimizu.

B. CLAIMS 1-3, 9-11 ARE PATENTLY DISTINGUISHABLE

Applicant asserts that claims 1-3, 9-11 of the present application are patentably distinguishable from Dahod because, in part, Dahod fails to disclose the packet bus of the claimed invention. Claim 1, currently amended to further clarify the invention, recites: "wherein each of the plurality of switching controllers is adapted to concurrently transmit packet data to every other switching controller."

In contrast to the present invention, Dahod discloses combinations of selected switches that simultaneously exchange packet data. Each combination of switches is then operatively coupled by a single network segment. As described at column 2, lines 20-26, the first Ethernet segment 32-1 may be configured to operatively couple switches 24-1 with 24-4, while the second Ethernet segment 32-2 may be configured to operatively couple switches 24-3 with 24-7. The first segment 32-1 effectively combines user groups 14-1 with 14-4 into one broadcast domain, while the second segment 32-2 effectively

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combines user groups 14-3 with 14-7 into a second broadcast domain. None of the switches 24-1, 24-4 on the first segment 32-1 is directly linked to the switches 24-3, 24-7 on the second segment 32-2.

Although Dahod makes it possible to operatively link multiple subsets of switches together, Dahod does not operatively link every switch to every other switch, as claimed in the present application. If Dahod were to operatively link each of the switches 24-1 through 24-8 together into a single broadcast domain, only one Ethernet segment would be required. Therefore, Dahod fails to disclose or suggest a system that links every switch to every other switch for purposes of enabling system-wide packet exchanges in parallel.

Claims 2-3, 9-11 depend from claim 1 and are therefore allowable for the reasons stated above. In addition, claims 2-3, 9-11 are unobvious because there is no motivation to combine Dahod with the Scoot, Shimizu, and/or Background prior art, as is asserted by Examiner. With all due respect, Examiner's assertions that the motivation to combine to "improve throughput" (office action, page 3, third paragraph of item 5), to "prevent data loss" (office action, page 4, line 6), and/or to "interface different networks" (office action, page 4, line 18) represent general goals to be achieved in network systems but are far too abstract to teach or suggest combining Dahod with the other references to produce the claimed invention.

With respect to claims 2 and 10, Applicant respectfully asserts that Examiner has failed to show that the combination of prior art cited discloses the claimed inventions. In particular, claim 2 recites "a plurality of claim lines" and claim 10 recites "a plurality of claim line interfaces". In support of the obviousness rejection, Examiner points to the Background of the present application which discloses (Fig. 1 and page 1, lines 16-20) a conventional backplane with a "shared claim line 160". The present invention is distinguishable from the Background due to the plurality of claim lines which are superior to a single claim line over with which controllers must take turns transmitting claim signals.

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With respect to claims 3, 11, and 13, Applicant respectfully asserts that Examiner has failed to show that combination of prior art cited discloses the claimed invention. In particular, claim 2 recites "a plurality of stall lines" and claim 11 recites "a plurality of stall line interfaces". In support of the obviousness rejection, Examiner cites the receive-not-ready (RNR) bus (5) of Shimizu. The RNR bus, appears to be a common communication link that is shared by multiple processors, and does not teach or suggest the plurality of stall lines and plurality of stall line interfaces which are superior a single, shared communication link.

C. CLAIM 12 IS PATENTLY DISTINGUISHABLE

Applicant asserts that claims 12 of the present application is patently distinguishable from the combination of references cited by Examiner because, in part, Shimizu fails to disclose the plurality of claim lines used to conditionally capture or filter packets at the plurality of switching controllers. In particular, Examiner fails to demonstrate where Shimizu discloses the following limitations of claim 12:

"on each receive interface, capturing the packet for which a destination address is recognized on the receive interface or for which a claim signal has been received from another receive interface; and

on each receive interface, filtering the packets for which a destination address is not recognized on the receive interface and for which a claim signal has not been received from another receive interface."

Moreover, claim 12 is unobvious because there is no motivation to combine Dahod, Shimizu, and the Background prior art. Examiner's assertions that the motivation to combine to "improve throughput" (office action, page 3, third paragraph of item 5) represents a general goal to be achieved in network systems but is far too abstract to teach or suggest the combination of the claimed invention.

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D. CONCLUSION

For all the forgoing reasons, Applicant submits that the present invention is patently distinguishable from the prior art and respectfully requests that a timely Notice of Allowance be issued in this case.

Should there be any fees for this action, your office is authorized to draw from the firm deposit account number 02-3979. Should you have any questions, or identify any problem, I would appreciate a telephone call so that this matter may be resolved promptly.

Respectfully submitted,

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